

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DISH NETWORK L.L.C.
and **NAGRASTAR LLC**,

Plaintiffs,

v.

**DEBRA HENDERSON, JOHN
HENDERSON**, and **BOOM MEDIA LLC**,

Defendants.

Case No. 5:19-CV-1310 (MAD/ATB)

DECLARATION OF GWENDOLYN ARGUELLO

I, Gwendolyn Arguello, of Aurora, Colorado declare as follows:

1. I make this declaration based on personal knowledge and, if called upon to testify, would testify competently as stated herein.

2. I am a Lead Investigator with Lynx Investigations LLC (“Lynx”), a position that I have held since January 2019. Prior to that time, and since 2015, I have worked for companies as an intelligence analyst and claims investigator, including Plaintiff NagraStar LLC (“NagraStar”) where I acquired substantial experience investigating matters involving pay-television piracy.

3. Lynx was retained by NagraStar to conduct undercover purchases from the website located at <https://boommedia.org> (“Boommedia.org”). The purchases are documented in the Lynx investigation reports attached in relevant part as Exhibit 1, Exhibit 2, and Exhibit 3. The reports are referred to herein by the page number that appears in the lower right corner of each page.

4. I purchased a three-month access code to the MFG service on May 20, 2019 using the checkout page located at <https://boominvoice.com>. (Ex. 1 at 4-5.) The MFG access code was offered for sale at Boommedia.org, and upon selecting the product from that website, the purchaser was directed to the checkout page identified above to complete the purchase. (*Id.* at 4.) I expressed

my intention to pay using PayPal when submitting the form on the checkout page. (*Id.* at 5.)

5. I received an email from “boomwebservices@gmail.com” on May 20, 2019, which directed me to send a PayPal payment to the email address “WatertownNY73@outlook.com.” (*Id.* at 6.) I sent \$40 to this email address using PayPal that same day, which was the cost of the three-month MFG access code, and was charged an additional \$1.46 as a fee, bringing the total to \$41.46. (*Id.* at 7-9.) I received a PayPal payment confirmation identifying the recipient of the \$40 as Debra Henderson. (*Id.*) I received an email from “boomwebservices@gmail.com” on May 20, 2019 that contained the three-month MFG access code. (*Id.* [last page].)

6. On June 17, 2019, I purchased a three-month access code to the Beast TV service and a three-month access code to the Murica Streams service using the checkout page located at <https://boom-checkout.com>. (Ex. 2 at 5.) The products were offered for sale at Boommedia.org, and upon selecting the products on that website, the purchaser was directed to the checkout page identified above to complete the purchase. (*Id.*) The Beast TV access code cost \$39.99, while the Murica Streams access code cost \$35. (*Id.*)

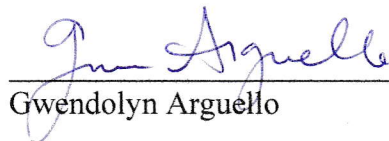
7. I received an email from “boomwebservices@gmail.com” on June 17, 2019, which directed me to send a PayPal payment to the email address “WatertownNY73@outlook.com.” (*Id.* at 9.) I sent \$74.99 (the cost of the two access codes) to this email address using PayPal that same day, and was charged an additional \$2.47 as a fee, for a total of \$77.46. (*Id.* at 6, 8.) I received a PayPal payment confirmation identifying the recipient of the \$74.99 as Debra Henderson. (*Id.*) I received an email from “boomwebservices@gmail.com” on June 17, 2019 that contained the three-month Beast TV access code and three-month Murica Streams access code. (*Id.* at 10.)

8. I also purchased the Formuler Z8 model set-top box from Boommedia.org on June 17, 2019. (*Id.* at 6.) I sent \$150 by PayPal to “WatertownNY73@outlook.com” for the purchase

of the Formuler set-top box, and was charged an additional \$4.65 as a fee, for a total of \$154.65. (*Id.* at 7.) I received a PayPal payment confirmation identifying the recipient of the \$150 as Debra Henderson. (*Id.*) Lynx received the Formuler set-top box by United States mail on June 27, 2019. (*Id.* at 10-11.) The return address on the package identified John Henderson, Boom Media LLC, and an address in Archdale, North Carolina. (*Id.*)

9. At the instruction of NagraStar, I sent an email to “boomwebservices@gmail.com” on September 11, 2019 and inquired about renewing the MFG access code identified in paragraphs 4-5. (Ex. 3 [last page].) I received a response confirming that a payment of \$40 should be sent to “WatertownNY73@outlook.com” to renew the MFG access code. (*Id.*) I paid \$40 by PayPal, and was charged an additional fee of \$1.46, for a total of \$41.46. (*Id.* at 4-6.) The payment recipient was Debra Henderson. (*Id.* at 6.) I received an email from “boomwebservices@gmail.com” on September 12, 2019 containing the MFG access code, and a subsequent email that same day stating the MFG access code would work through December 12, 2019. (*Id.* [last page].)

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 28, 2019.


Gwendolyn Arguello